United Nations A/AC.254/24

General Assembly

Distr.: General
23 December 1999

Original: English

Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime
Seventh session
Vienna, 17-28 January 2000

Annotated provisional agenda and proposed organization of work

Provisional agenda

1. Opening of the seventh session of the Ad Hoc Committee.
2. Adoption of the agenda and organization of work.
3. Consideration of the revised draft United Nations Convention against Transnational Organized Crime, with particular emphasis on articles 1-3, 5 and 6.
4. Implementation of General Assembly resolution 54/128, entitled "Action against corruption".
5. Consideration of the additional international legal instrument against illicit manufacturing of and trafficking in firearms, their parts and components and ammunition.
6. Adoption of the report of the Ad Hoc Committee on its seventh session.

Annotations

1. Opening of the seventh session of the Ad Hoc Committee

The seventh session of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime will be convened on Monday, 17 January 2000, at 10 a.m.

2. Adoption of the agenda and organization of work

At its sixth session, held in Vienna from 6 to 17 December 1999, the Ad Hoc Committee approved the provisional agenda and proposed organization of work for its seventh session (A/AC.254/L.128/Add.1). The Ad Hoc Committee decided that at its seventh session it would devote five days to the consideration of the revised draft United Nations Convention against Transnational Organized Crime, with particular emphasis on articles 1-3, 5 and 6, dealing with the statement of objectives, the scope of application, the use of terms, the criminalization of participation in an organized criminal group, the liability of legal persons, and prosecution, adjudication and sanctions.

The Ad Hoc Committee also decided to consider the implementation of General Assembly resolution 54/128 of 17 December 1999, entitled "Action against corruption".

The Ad Hoc Committee further decided to devote five days to the consideration of the draft text of the additional international legal instrument against illicit manufacturing of and trafficking in firearms, their parts and components and ammunition.

The resources available to the Ad Hoc Committee at its seventh session will permit the holding of two plenary meetings per day with simultaneous interpretation in the six official languages of the United Nations.

The proposed organization of work contained in the annex to the present document provides more details on the meetings to be held in plenary at the seventh session of the Ad Hoc Committee.

3. Consideration of the revised draft United Nations Convention against Transnational Organized Crime, with particular emphasis on articles 1-3, 5 and 6

At its first session, the Ad Hoc Committee concluded a first reading of articles 1-23 of the draft Convention (as contained in document A/AC.254/4). At its second session, the Ad Hoc Committee began a second reading of the draft Convention by considering articles 1-3, dealing with the objectives, the scope of application and definitions, and completed a first reading of articles 24-30. At its third session, the Ad Hoc Committee carried out a first reading of articles 4, 4 *bis*, 7 and 8. At its fourth session, the Ad Hoc Committee carried out a first reading of articles 4 *ter* and 17 *bis* and concluded a second reading of articles 5, 6, 9 and 14 (paras. 1-13). At its fifth session, the Ad Hoc Committee concluded the second reading of articles 4, 4 *bis*, 7, 7 *bis*, 7 *ter*, 10, 14 (paras. 14-22), 15-17 and 18-19. At its sixth session, the Ad Hoc Committee concluded its second reading of the draft Convention by considering articles 4 *ter*, 17 *bis* and 20-30.

Also at its sixth session, the Ad Hoc Committee decided that at its seventh session it would begin the finalization of the draft Convention with the negotiation of articles 1-3, 5 and 6. That decision was made on the understanding that, should the Ad Hoc Committee finalize those articles with time remaining at its seventh session, it would proceed to the negotiation of as many other articles of the draft Convention as possible. In view of that decision and in the event of early conclusion of the finalization of articles 1-3, 5 and 6

of the draft Convention, the Ad Hoc Committee may wish to proceed with the negotiation of subsequent articles.

Documentation

Revised draft United Nations Convention against Transnational Organized Crime (A/AC.254/4/Rev.6)

Proposals and contributions received from Governments (A/AC.254/5/Add.17)

Analytical study on serious crime prepared by the Secretariat (A/AC.254/22 and Corr.1 and Add.1)

4. Implementation of General Assembly resolution 54/128, entitled "Action against corruption"

At its sixth session, the Ad Hoc Committee decided to consider the implementation of General Assembly resolution 54/128, entitled "Action against corruption". In that resolution, the Assembly requested the Ad Hoc Committee to explore the desirability of an international instrument against corruption, either ancillary to or independent of the Convention, to be developed after the finalization of the Convention and the three additional instruments referred to in Assembly resolution 53/111 of 9 December 1998, and to present its views to the Commission on Crime Prevention and Criminal Justice.

In its resolution 54/126 of 17 December 1999, entitled "Draft United Nations Convention against Transnational Organized Crime and the draft protocols thereto", the General Assembly requested the Ad Hoc Committee to submit a report to the Commission at its ninth session on the progress achieved in its work. The Ad Hoc Committee may wish to include in its report its views on the implementation of Assembly resolution 54/128.

5. Consideration of the additional international legal instrument against illicit manufacturing of and trafficking in firearms, their parts and components and ammunition

In its resolution 53/111, the General Assembly decided to establish an ad hoc committee for the purpose of, *inter alia*, discussing the elaboration, as appropriate, of international instruments addressing trafficking in women and children, combating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and illegal trafficking in and transporting of migrants, including by sea. In the same resolution, the Assembly requested the Ad Hoc Committee, in carrying out that work, to take into account, *inter alia*, Economic and Social Council resolutions 1998/18, 1998/19 and 1998/20 of 28 July 1998.

At its first and third sessions, the Ad Hoc Committee carried out a first reading of the draft international legal instrument against illicit manufacturing of and trafficking in firearms, their parts and components and ammunition. At its fifth session, the Ad Hoc Committee carried out a second reading of articles 2-5 and 8 of that draft instrument.

In its resolution 54/126, the General Assembly, requested the Ad Hoc Committee to continue its work, in accordance with resolutions 52/111 and 53/114 of 9 December 1998, and to intensify its work in order to complete it in 2000. The Assembly also requested the Ad Hoc Committee to schedule sufficient time for the negotiation of the draft protocols to the draft Convention, in order to enhance the possibility of their completion at the same time as the draft Convention.

Documentation

Revised draft Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime (A/AC.254/4/Add.2/Rev.3)

Proposals and contributions received from Governments (A/AC.254/5/Add.18)

Background documents

Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials (A/AC.254/CRP.1)

Informal consultations

At its fourth session, the Ad Hoc Committee decided that in future informal consultations should be organized in order to facilitate the implementation of its mandate (A/AC.254/17, para. 25). The holding of such consultations would depend on the availability of extrabudgetary resources and would meet the following conditions: (a) the informal consultations would be conducted strictly in accordance with the decisions of the General Assembly; (b) provision would be made for interpretation in all official languages of the United Nations; (c) the documentation and agenda for the informal consultations would be made available well in advance of the meetings, and sufficient advance notice of the time and place of the meetings would be provided; (d) the informal consultations would be an open-ended and transparent mechanism to assist the Ad Hoc Committee, which would remain the only decision-making body, by making recommendations; (e) the informal consultations would be held only as parallel in-session meetings and their subjects would not overlap those being considered by the Ad Hoc Committee in plenary; (f) no more than two meetings, including the plenary, would be held at the same time during the sessions of the Ad Hoc Committee; (g) the informal consultations could be assigned, *inter alia*, to translate into appropriate language the agreements reached in plenary or any other function determined by the Chairman of the Ad Hoc Committee.

The resources available to the Ad Hoc Committee at its fifth and sixth sessions permitted the holding of eight parallel informal consultations with simultaneous interpretation in the six official languages of the United Nations during the first week of each session.

The resources available to the Ad Hoc Committee at its seventh session will permit the holding of 16 parallel informal consultations from Tuesday, 18 January, to Thursday, 27 January 2000. At its sixth session, the Ad Hoc Committee decided to devote the informal consultations to be held from Tuesday, 18 January, to Friday, 21 January 2000, to the consideration of the additional international legal instrument against trafficking in persons, especially women and children, and the common provisions of that instrument with the additional international legal instrument against illegal trafficking in and transporting of migrants. Also at its sixth session, the Ad Hoc Committee decided to devote the informal consultations to be held from Monday, 24 January, to Thursday, 27 January 2000, to the consideration of articles 4, 4 *bis*, 4 *ter*, 4 *quater*, 7, 7 *bis*, 7 *ter*, 17, 17 *bis*, 18 18 *bis* and 18 *ter* of the draft Convention, in preparation for the finalization of those articles by the Ad Hoc Committee at its eighth session.

The proposed organization of work contained in the annex to the present document provides more details on the informal consultations.

Documentation

Revised draft United Nations Convention against Transnational Organized Crime (A/AC.254/4/Rev.6)

Revised draft Protocol against the Smuggling of Migrants by Land, Air and Sea, supplementing the United Nations Convention against Transnational Organized Crime (A/AC.254/4/Add.1/Rev.4)

Revised draft Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (A/AC.254/4/Add.3/Rev.5)

Proposals and contributions received from Governments (A/AC.254/5/Add.17)

Proposals and contributions received from Governments (A/AC.254/5/Add.19)

6. **Adoption of the report of the Ad Hoc Committee on its seventh session**

The Ad Hoc Committee is to adopt a report on its seventh session, the draft of which will be prepared by the Rapporteur.

Annex

Proposed organization of work of the seventh session of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime, to be held in Vienna from 17 to 28 January 2000

A. Plenary

Date	*Time*	*Item*	*Title or description*
Monday, 17 January	10 a.m.-1 p.m. and 3-6 p.m.	1	Opening of the seventh session of the Ad Hoc Committee
		2	Adoption of the agenda and organization of work
		3	Consideration of the revised draft United Nations Convention against Transnational Organized Crime, with particular emphasis on articles 1-3, 5 and 6
Tuesday, 18 January-Thursday, 20 January	10 a.m.-1 p.m. and 3-6 p.m.	3	Continuation of the discussion
Friday, 21 January	10 a.m.-1 p.m. and 3-6 p.m.	3	Continuation and conclusion of the discussion
		4	Implementation of General Assembly resolution 54/128, entitled "Action against corruption"
Monday, 24 January	10 a.m.-1 p.m. and 3-6 p.m.	5	Consideration of the additional international legal instrument against illicit manufacturing of and trafficking in firearms, their parts and components and ammunition
Tuesday, 25 January-Thursday, 27 January	10 a.m.-1 p.m. and 3-6 p.m.	5	Continuation of the discussion
Friday, 28 January	10 a.m.-1 p.m. and 3-6 p.m.	5	Continuation and conclusion of the discussion
		6	Adoption of the report of the Ad Hoc Committee on its seventh session

B. Informal consultations

Date	*Time*	*Subject*
Tuesday, 18 January-Friday, 21 January	10 a.m.-1 p.m. and 3-6 p.m.	Consideration of the additional international legal instrument against trafficking in persons, especially women and children, and common provisions of the additional international legal instrument against illegal trafficking in and transporting of migrants
Monday, 24 January-Thursday, 27 January	10 a.m.-1 p.m. and 3-6 p.m.	Consideration of the revised draft United Nations Convention against Transnational Organized Crime, with particular emphasis on the following articles (listed in the order in which they are to be considered): articles 4, 4 *bis*, 7, 7 *bis*, 7 *ter*, 4 *ter*, 4 *quater*, 17 *bis*, 17, 18, 18 *bis* and 18 *ter*.